

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-second Legislature Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 510

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PROPERTY; AMENDING SECTION 11-202, IDAHO CODE, TO REMOVE REFERENCE TO AN ELECTIVE OFFICIAL RELATING TO DEBTS OWED BY THE STATE IN THE EXECUTION AND GARNISHMENT AFTER FINAL JUDGMENT AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 11-202, Idaho Code, be, and the same is hereby amended to read as follows:

11-202. DEBTS OWING BY STATE OF IDAHO SUBJECT TO EXECUTION OR GARNISHMENT AFTER JUDGMENT. Debts, moneys and credits due or owing by the state of Idaho to any person whomsoever, ~~except an elective official of the state of Idaho,~~ shall be subject to execution and garnishment after final judgment against such person for the satisfaction of such judgment by service by the sheriff of Ada county, Idaho, upon the state controller of a copy of the writ of execution and a notice of garnishment signed by such officer in duplicate. The state controller shall at the time of such service collect a fee of ten dollars (\$10.00) therefor from said officer. The state controller shall thereafter have a period of thirty (30) days in which to answer said notice of garnishment. The state controller shall pay, in the usual manner provided by law to the officer serving said writ of execution and notice of judgment, the amount necessary to satisfy said judgment excluding any exemption as provided by law. The officer's receipt therefor shall be a sufficient release of the state of Idaho and the state controller, of said claim of such person.